

REMARKS

In the Office Action, the Examiner noted that claims 1-8, 10-19 and 21-26 were pending in the application and the Examiner rejected all claims. Various claims have been amended herein and claims 2, 3, 13, and 14 have been canceled. No new matter has been added. Thus, claims 1, 4-8, 10-12, 15-19 and 21-26 remain pending for reconsideration in the application which is requested. The Examiner's rejections are traversed below.

ENTRY OF RESPONSE UNDER 37 C.F.R. §1.116:

Applicants request entry of this Rule 116 Response and Request for Reconsideration because:

- (a) at least certain of the rejected claims have been canceled thereby at least reducing the issues for appeal;
- (b) the amendments were not earlier presented because the Applicants believed in good faith that the cited prior art did not disclose the present invention as previously claimed;
- (c) the amendments of claims 1, 12 and 23 should not entail any further search by the Examiner since no new features are being added or no new issues are being raised; and/or
- (d) the amendments do not significantly alter the scope of the claims and place the application at least into a better form for appeal. No new features or new issues are being raised.

The Manual of Patent Examining Procedures sets forth in §714.12 that "[a]ny amendment that would place the case either in condition for allowance or in better form for appeal may be entered." (Underlining added for emphasis) Moreover, §714.13 sets forth that "[t]he Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

REJECTION UNDER 35 U.S.C. § 112

Claims 1 and 23 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter. This rejection is traversed and reconsideration is requested.

It is submitted that claims 1 and 23, as amended, meet the requirements of 35 U.S.C. § 112, second paragraph.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-8, 10-19 and 21-26 were rejected under 35 U.S.C. § 103(a) as unpatentable over *Microsoft Excel 97* (hereinafter "Excel 97") in view of U.S. Patent No. 5,893,090 to Friedman et al. (hereinafter "Friedman"). This rejection is respectfully traversed and reconsideration is respectfully requested.

This rejection is respectfully traversed because Excel 97 at least fails to teach or suggest "displaying a cross tabulation according to summing up conditions for defining the range of the data to be displayed" as recited, for example, in amended independent claims 1, 12 and 23.

The Examiner relied upon Excel 97 to disclose the above-discussed feature on page 3, numbered paragraph 10 of the Office Action. Excel 97 discloses, (1) that the rows and columns can be summed (see row 6 and column E) and (2) that a data range can be selected (range A1 to D4) wherein Excel 97 can **display the selected data in graphical format**, i.e. the chart wizard (See Excel 97, page 9). Thus, Excel 97 discloses displaying **all** of the data in the database, the results of the summation function and a graphical representation of selected data. Therefore, Excel 97 fails to teach or suggest the feature of: "displaying a cross tabulation according to summing up conditions" wherein the "summing up conditions" define "the range of the data to be displayed" as recited, for example, in amended independent claims 1, 12 and 23.

Furthermore, Excel 97 fails to teach or suggest "storage means for storing the range of the data to be displayed which is limited by said display limiting means as a summing up condition used by said cross tabulation display means" as recited, for example, in claim 1. The Examiner, on page 5 lines 1-6, relies upon Excel 97's AutoSum feature to disclose this feature. However, an AutoSum feature, which sums data in a row or column, fails to teach or suggest "summing up conditions" which define "the range of the data to be displayed" as recited, for example, in amended independent claims 1. For reasons similar to those discussed above, Excel 97 fails to teach or suggest the "storage operation" and "storage device" of claims 12 and 23 respectively.

Therefore, the applicants respectfully request reconsideration of claims 1, 12 and 23 under 35 U.S.C. § 103(a) because Excel 97, Friedman and any combination thereof fails to teach or suggest the above-identified features.

Claims 4-8, 10, 11, 15-19, 21, 22 and 24-26 depend from one of independent claims 1, 12 and 23 and include all the features of the claim from which they depend. Therefore, it is submitted that claims 4-8, 10, 11, 15-19, 21, 22 and 24-26 patentably distinguish over the prior art.

CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

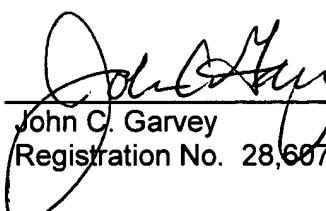
If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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